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IN THE

Supreme Court of the United States

OCTOBER TERM, 1945

No. 342

STEVE ANDERSON, EARL TROMBLEY, LILLIAN SOCIA, ALBERT WATKINS, ARTHUR SIBBE, NELSON LUCHTMAN, RITA SCHULTE, individually, for and in behalf of themselves and others similarly situated; and LOCAL No. 1083, UNITED POTTERY WORKERS OF AMERICA, affiliated with the Congress of Industrial Organizations, Mt. Clemens, Michigan,

Petitioners,

vs.

MT. CLEMENS POTTERY COMPANY,

Respondent.

On Writ of Certiorari to the United States Circuit Court of Appeals for the Sixth Circuit

RESPONDENT'S REPLY TO BRIEF OF WAGE AND HOUR DIVISION

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INDEX

		Page
I.	In general	1
II.	Reply to argument that time spent in personal activities before starting work must be paid for as time worked	4
III.	Reply to argument that the Circuit Court of Appeals applied an erroneous standard of proof	10
IV.	Conclusion	20

TABLE OF CASES CITED

De Pasquale, et al. v. Williams-Bauer Corporation, et al. (C.C.A. 2, 1945), 8 W. H. Rep. 1104 18

Johnson v. Dierks Lumber & Coal Company (C.C.A. 8, 1942), 130 F. (2d) 115 18

Joseph v. Ray (C.C.A. 10, 1943), 139 F. (2d) 409 18

George Lawley & Son Corporation v. South (C.C.A. 1, 1944), 140 F. (2d) 439 18

Palmer v. Connecticut Railway Company, 311 U. S. 544 (1941) 14

Story Parchment Company v. Paterson Company, 282 U. S. 555 (1931) 14

OTHER CITATIONS

Fair Labor Standards Act (Act of June 25, 1938), 52 Stat. 1060, 29 U.S.C.A. Secs. 201-219 3

Wage Hour Division's Release No. 1739, 5 W. H. Rep. 115 ..... 4, 9

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I. IN GENERAL

The brief filed on behalf of L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States

Department of Labor, as *Amicus Curiae*, does not discuss either of the two basic issues which govern the disposition of this case. The brief does not argue, as petitioners claim, that employees are entitled to be paid from the moment they punch the time clock; rather, the brief (p. 8, note 6), recognizing the fallaciousness of such a claim, admits that the Master and the District Court both ruled against such claim. The plaintiffs (petitioners) not having appealed from such ruling, that question is not before the Court. Neither does the brief argue that the judgment of the District Court may be upheld—in fact, the brief expressly disaffirms (footnote, p. 2) the expression of any opinion that the judgment of the District Court can be supported on the record. Obviously, the learned authors of the brief, noting that the overwhelming evidence supported the findings of the Master and the Circuit Court of Appeals and did not support the arbitrary formula adopted by the District Court, have decided to drop that phase of the case and attempt to get this Court to adopt a new and novel rule to the effect that no real evidence be required of the plaintiff in this class of case.

It is our view that this case turns almost entirely on "evaluation of the factual evidence in the record," and that as demonstrated in our principal brief the finding of the Master that there was no unpaid overtime work was fully sustained by an overwhelming weight of evidence, and the judgment of the Circuit Court of Appeals, in affirming such finding, should not be disturbed.

It is true that as set forth in *amicus curiae* brief, "no issue of general importance is presented" (p. 2, note 1). It is just a question of whether a plaintiff has sustained the burden of proof which is always his.

The brief does ask this Court: (1) to hold that time spent by employees in such activities as putting on overalls or work gloves must be deemed a part of working time and taken into consideration in computing hours worked; (2) to lay down a rule as to the degree or standard of proof to govern in employee actions under the Fair Labor Standards Act (Act of June 25, 1938, c. 676, 52 Stat. 1060, 29 U.S.C.A. sec. 201). But as we shall point out in detail, neither of these two questions need be decided in disposing of the instant case; and the long established principle, that points unnecessary to the decision in a case shall not be decided, should preclude consideration of these two issues. In fact, we submit, the record in the instant case does not adequately or properly furnish the necessary basis for an informed and careful consideration of these two points.

It should be noted, also, that the *amicus curiae* brief is based on the report of the Special Master and the opinion of the District Court. Apparently, the authors of the brief have not examined the remainder of the record herein; and consequently have based their argument in large part on certain assumptions of fact which the record shows to be unfounded. Further, we submit and shall hereinafter point out in detail, the argument in the *amicus curiae* brief rests on a misunderstanding and an erroneous construction of the holdings of the Master and District Court.

II. REPLY TO ARGUMENT THAT TIME SPENT IN PERSONAL ACTIVITIES BEFORE STARTING WORK MUST BE PAID FOR AS TIME WORKED

The *amicus curiae* brief characterizes as "preliminary *duties*" (p. 3) time spent in putting on aprons or overalls, removing shirts, etc. This description may be misleading. The more accurate phrase is "preliminary *activities*" (R. 201). The employees were under no duty to put on their overalls or change to their work shirts after arriving at the plant. The nature of the job did not require it. The employees were free to, and some did, put on their work clothes before coming to the plant. There was no requirement by the company that the employees wear any uniform or other particular kind of clothing; all were free to work in whatever apparel they desired; nor did the jobs or character of the work require any special clothing. This is significant in view of the announcement of the Wage Hour Division in 1942 that time spent by employees in changing clothes should be considered time worked only when they are required to change on the employer's premises (Release 1739, 5 W. H. Rep. 115; R. 200).

We are not here concerned with the argument that time spent in non-personal preliminary activities should be deemed working time. The Master did not rule otherwise (R. 200). The argument in the Wage Hour Division's brief must be directed solely to these personal activities; and when so considered, the argument amounts to a plain reversal of the prior announcements of the Division (many of which are reviewed at pp. 80-86 of our principal brief).

The argument of the *amicus curiae* brief starts out with the proposition that the Master assumed such personal activities were not compensable (p. 3). While the Master was inclined to the opinion (as the lower courts have since held) that time spent in these personal activities was not compensable, yet the Master specifically refrained from deciding this point (R. 200). The Master's findings as to this matter are fully reviewed in our principal brief (pp. 16, 17).

The *amicus curiae's* brief next argues that the Master made no finding as to the amount of time spent in personal activities before starting production work (p. 3). This is in error. The Master considered all preliminary activities of whatever nature—either personal or non-personal—as a single category (R. 169, 170). As to all such preliminary activities, he found (R. 201) that the time so spent varied widely with different departments, with different employees in the same department, and with the same employee on different days. The evidence did not permit a finding as to either any minimum figure or any average figure. There was no proof by the employees either of the amount of time spent in preliminary activities (of any nature) or of the proportion (if any) of it spent in advance of the regular starting time (R. 201). But if any of it was spent before starting time, it was counterbalanced by occasions when employees started work late and quit early (R. 191). It should be noted the employees did not claim that these personal activities took any measurable amount of time (See R. 646, ["I would have my shirt unbuttoned most of the time by the time I got to the job, and it is no matter to slide out of your shirt and slip your apron over your neck"]; R. 769-773, [18 or 22 seconds to put on finger cots, which the witness said she put on before reaching her place of work]).

In this connection it is again impliedly admitted by *amicus curiae* that the proof in the record does not warrant any recovery, when instead of claiming that the respondent owes the petitioners some money, which is the only question involved in this case, *amicus curiae* asks the Court to lay down a rule for future purposes (p. 4) regardless of the right of petitioners to any recovery.

The finding of the Master, approved by the District Court, unappealed from by the plaintiffs (petitioners herein), and affirmed by the Circuit Court of Appeals, was that the time taken in all preliminary activities could not be figured with any degree of reliability and was not shown to have resulted in any overtime (R. 201). Under the circumstances of this case, plaintiffs (petitioners) not having appealed, this question is not before the Court and the Division should seek some other vehicle for the promulgation of the new rule sought by it.

Most of the employees at respondent's plant were engaged at tasks which did not require any preliminary preparations whatsoever. Those who worked on the glost belt, for instance, had but to step to their posts; they were not required to wear any particular kind of clothing or use any equipment at all, and undeniably the large group so engaged could not possibly work until the belt started, which was not until the regular starting time.

The Wage Hour Division evidently recognizes, as did the Master and the District Court, the practical difficulty of keeping track of a few seconds which an employee may spend on some personal preparations, and (p. 7, note 5), has announced that it would not seek to enforce payment for time changing clothes if the time involved was not more than five minutes, even where employees were required to do so on the employer's premises; but

it asks the Court in this case to arbitrarily set up a rule which would require each employee to be accompanied by a stop watch operator so that if the employee pulled on his gloves before the whistle blew he could be paid for the seconds involved.

The third point in the Division's brief is that these activities bear all the indicia of work (p. 4). We have commented on this argument at pp. 88-91 of our principal brief. But whatever the Court might decide on this point, it would have no bearing on the unanswerable fact that the Master's decision was based squarely on the proposition that there was no proof of the amount of time so spent, although such time, if any, was obviously very, very limited in amount.

The fourth point in the brief of *amicus curiae* is that these personal activities were concededly done before starting time (p. 4). To this we cannot assent. There was much testimony that on every day many employees reached their departments after starting time and put on their overalls and gloves after the regular starting time (R. 989, 993, 1011, 1122, 1182, 1403). It should be remembered that most of the employees were engaged in group operations in which they could not possibly start work unless all members of the group were present, and nowhere in this record is there any proof or even evidence that all of any particular group ever arrived before starting time. The Master's finding was that, while employees who arrived early engaged in various personal activities before starting time, yet it was impossible to determine how much time was spent in making personal preparations for work (as distinguished from other personal activities); and impossible—considering as a unit the time spent in all preparing-for-work activities, whether

personal or non-personal preparations—to determine how much time was spent or what part of the time spent in such preliminary activities came before starting time (R. 201).

The fifth point is the assertion that the lower courts have held time so spent to be compensable (p. 5). The cases cited do not support any such conclusion. The first five cases cited are analyzed at page 156 of our principal brief. The other cases cited (including two under the Fair Labor Standards Act, five under the railroad employees' "Hours of Service Act," 34 Stat. 1416, and one under a State statute), do not require extensive comment. They relate to situations where an employee is required by his employer to report early, and is given certain duties to perform during a fixed period of time when he is required to remain on duty at a prescribed place. It specifically appears in most of the cases that the time in question was spent in physical work, such as oiling engines, stoking boilers, wetting down coke, etc. Certainly, no lower court decision has been cited that imposes any duty on the employer to hold a stop-watch on each employee who may slip on an apron, or put on canvas gloves, a moment before the whistle blows. Rather, the uniform trend of lower court decisions is in exactly the opposite direction. Many of them are analyzed at pp. 77-80, 91-95, of our principal brief.

The final point of *amicus curiae* in this portion of its brief is that the Wage Hour Division "has consistently taken the position that time spent in make-ready work" is compensable (p. 7). As indicated by the rather meager citations given, it has been the position of the Division that time spent in making machinery ready and time spent changing clothes (where the nature of the job or

the employer requires a change of clothing on the premises) is working time. But nothing of that sort is here involved. Here, the employees were free to dress for work at home and could wear whatever they chose. Under the ruling cited (Release 1739, 5 W.H.R. p. 115), this time is not deemed working time. Time spent making machinery or materials ready was deemed working time by respondent (R. 1178).

If the brief of *amicus curiae* had cited the administrative holdings pertinent to the factual situation here involved (as we think fairness and candor would require) it would be clear that the findings of the Master and the decision of the Circuit Court of Appeals herein are entirely in harmony with the interpretations of the Wage Hour Division. Such interpretations are collected at pp. 81-85 of our principal brief.

Summarizing respondent's position as to the first proposition argued in the brief of *amicus curiae*, we submit:

(1) The brief overlooks the controlling factual aspects of this case, as disclosed by the record. It overlooks, for example, the fact that the Wage Hour Division inspected respondent's plant during the period involved and made no criticism of respondent's time-keeping practices, but rather complimented respondent on the completeness with which its records were kept (R. 1157); and it overlooks many of the Master's findings and a great deal of the evidence.

(2) The point argued—that time spent in purely personal preliminary activities should be deemed hours worked—is not here involved because the controlling finding, and the basis of the decision below, is that there was no proof as to how much time was so spent, or whether it

time before or after starting time for particular employees on particular days. The petition does not raise the question which *amicus curiae* argues; and the question need not be answered in deciding this case. This case does not involve determining the meaning of the phrase "hours worked."

(3) The argument of *amicus curiae* is in effect that an employer must make sure that no employee ever puts on gloves or aprons, or washes his hands, or engages in other similar purely personal activities before starting time; or must devise some method of clocking the number of seconds so spent and pay the employee at premium rates therefor, if an employee ever does these things before the whistle blows. This argument is contrary to court decisions and prior administrative interpretations; it conflicts with uniform industrial practice; it goes beyond what labor claims; and it offends common sense.

III. REPLY TO ARGUMENT THAT THE CIRCUIT COURT OF APPEALS APPLIED AN ERRONEOUS STANDARD OF PROOF

The argument of the *amicus curiae* brief on its second point is premised on two misconceptions. First, it is asserted (p. 9) that the Master found that at least some preliminary work was performed in advance of the regular starting time, but that the evidence as to the precise amount of the time so spent was not sufficiently definite. Secondly, it is argued that the District Court did accept the Master's findings of fact, and differed with the Master only on a law question; and in this connection it is argued (p. 11) that the District Court's opinion should be construed as holding that employees started to perform "pre-

liminary duties" seven minutes after punching the time clock and that this time should be paid for.

But this does not correctly state the findings of the Master and misinterprets the opinion of the District Court.

It must be remembered that the Master's finding was: Actual production work did not start before starting time (R. 191). Assuming that all types of preliminary activities could be deemed to be work, there was no proof from which there could be determined the amount of time so spent, nor how much of it came before starting time (R. 201). In any event, the time so spent was trivial in amount and would be counter-balanced by occasions when employees started work late and quit early (R. 191).

The District Court did not in any way disagree with the Master's findings and conclusions on the matter of preliminary activities. In fact, the District Court went further than the Master and held that time spent in personal preparations for work should be excluded from the computation of hours worked. Its opinion held that time spent in such personal preparation and walking to the department should be considered together and excluded from working time (R. 242-244). The District Court's conclusion that time spent in purely personal activities is not a part of hours worked is revealed elsewhere in the record. See, e.g.: R. 396-397 (where the Court pointed out employees can't start work the minute they get there, and cited as an example the time spent in personal activities before starting work); R. 1494 (where the Court indicated employees could properly be expected to get there early enough to put on their overalls before starting time, because "they are supposed to be ready to work"); R. 1499 (where the Court insisted that an employee who

arrived early was not entitled to "go over and sit in the corner and draw pay"). We repeat, the holding of the District Court was based solely on its assumption that if the employees had completed all personal preparatory activities and were "ready to work" (R. 242) at 5 or 7 minutes before starting time, they must undoubtedly have started actual production work 5 or 7 minutes ahead of starting time. It was only this assumed actual production work for which the District Court allowed recovery. This was the only point at which the District Court refused to accept the Master's findings. The Master found specifically that production work did not start before starting time (R. 191); but the District Court held production work should be assumed to have started 7 minutes after the employee punched the time clock (R. 242-244).

The brief of *amicus curiae* does not argue in support of this finding of the District Court, nor argue that the Circuit Court of Appeals erred in holding that the finding of fact by the Master was binding on the District Court. Therefore, we must go back to the Master's findings (as stated in detail at pp. 15-18 of our principal brief and summarized in the next to the last preceding paragraph herein) in considering the argument of *amicus curiae*, who contends that on these findings some recovery might be allowable.

It is noteworthy that the *amicus curiae* brief does not concern itself with the question of the "right or extent" of recovery (p. 4). But this, of course, is the whole case. On these findings of the Master, what recovery could be allowed? There was no proof of the time spent in preliminary activities. There was no proof as to how much of it came before starting time. There was proof that no substantial amount of time was so spent; and that if any of it did come before starting time this was counter-

balanced by occasions when employees started late and quit early. There can be no question but that on these findings, the claims must be dismissed, whatever standard of proof is followed.

The argument at page 10 involves a misunderstanding of the Master's report. The quotation (p. 10) from R. 179 is lifted from the middle of a discussion by the Master as to what proof would be required to support the claim "that all time between punched entries on cards was working time" (R. 179), and the quotation (p. 10) from R. 191 was likewise lifted from a discussion of the same subject.

It must be remembered that all through the trial of this case the petitioners claimed they should be paid for all the time between the punched entries on the clock cards; and the quotations referred to were made in discussing the problem so presented.

In view of the decisions of both the lower Courts—not challenged by *amicus curiae*—that they were not entitled to be paid on this basis, this statement is immaterial. It does not reflect, as *amicus curiae* seems to think, the standard of proof followed by the Master.

There can be no question—and *amicus curiae* does not deny it—that the burden is on the employees to prove that some overtime was worked. But in this case the employees did not prove this. The brief of *amicus curiae* overlooks this, and cites cases holding that where the *fact* of damage is proved, uncertainty as to the precise *amount* of damages does not necessarily prevent recovery. But these cases are not in point. Here, there was no proof as to the *fact* of damage, because it was determined by the Master that no overtime was worked.

It is clear that there must be certainty as to the fact of damage. As to this, indeed, it is enough to refer to the cases cited by *amicus curiae*. As the Court said in *Palmer v. Connecticut Ry. Company*, 311 U.S. 544, 561 (quoted at page 13 of the brief of *amicus curiae*),

> "Certainty in the fact of damage is essential. Certainty as to the amount goes no further than to require a basis for a reasoned conclusion."

The same point is made in *Story Parchment Company v. Paterson Co.*, 282 U.S. 555, 562, quoted at p. 13 of the brief of *amicus curiae*. There can be no doubt but that in such a case as this there is no cause of action (i.e., the fact of damage has not been established) unless overtime has in fact been worked. This is discussed at p. 128 of our principal brief. We do not understand that this is denied by the brief of *amicus curiae*. Rather, his argument assumes that in this case there was proof of some overtime worked, and that the only uncertainty was as to the amount. The findings of the Master are not susceptible of this interpretation. The findings were that there was no overtime worked. The fact of damage had not been proved. The question as to the amount of damages was not reached.

Amicus curiae argues that the trial Court did not disagree with the Master's finding of fact (p. 12), but only disagreed as to the amount of proof required. Actually, as found by the Circuit Court of Appeals (R. 1594), the trial Court disregarded the findings of the Special Master and "applied an arbitrary formula, set up in its labeled 'Findings of Fact'." Nowhere in the trial Court's findings or opinions is there any reference to any "standard of proof" or to the question of "quantum of proof,"

except his statement at a hearing on a motion for findings, September 13, 1943, to counsel for petitioners:

> "You told me you were going to do a lot of things, and I said if that is so, I would give them something they would wish they had never got. You didn't prove it, and it isn't my fault.
>
> "What else have you got?
>
> "Mr. Lamb: Your Honor, may I be heard on this now?
>
> "The Court: Not now. I have listened to this case for two years.
>
> "Mr. Lamb: I have worked on it three years.
>
> "The Court: I go out of my way to try to give you a little time, on testimony that wasn't worth a continental. * * *" (R. 1506.)

Does the Supreme Court want to lay down a rule that judgment in this case should be based on such testimony?

The *amicus curiae* doubts this, for on page 12 of his brief he again indicates that the judgment of the Circuit Court of Appeals should be affirmed, where he expresses doubt if the "particular formula adopted by the District Court can be sustained."

The only thing this respondent is interested in is that it shall not be unjustly convicted of failure to pay its employees what was due them, and be required to pay a sum of money which it does not owe.

The brief of *amicus curiae* also strays from the record in this case, we submit, in arguing (p. 14 et seq.) that here the responsibility for the deficiencies in the evidence is attributable to respondent's unlawful conduct in not keeping records. The brief assumes that the respondent did not keep accurate records of the hours worked by the employees.

But in fact, the records were not only accurately kept but kept in such a manner that every employee had before him the very next day the amount of time he was credited with working the preceding day, thereby putting each employee in a position each day to have errors, if any, corrected. No more accurate system for keeping records of this character could be devised, and neither at the time of the inspection, when, in fact, the Wage Hour Division representative complimented the company on its records (R. 1157), nor in the brief of *amicus curiae*, is our attention called to any inaccuracy or incompleteness of such records, nor are we given any indication of how such records are improper or illegally kept.

We fear the authors of the *amicus curiae* brief did not examine the evidence to learn what records as to working time were kept by respondent. Respondent in fact kept records of hours worked which were far more complete and more accurate than those of most employers. The recordkeeping system is described at R. 1150 et seq., and illustrated by Ex. 80 (R. 1150, 1300, reproduced at R. 1544). The Company made a daily entry on each employee's time clock card showing the number of hours he was credited with having worked each preceding day of the workweek. Thus, every day when an employee picked up his time clock card he knew exactly what hours of work the Company had figured. The testimony of all employees and former employees who were asked about this was uniformly to the effect that all the employees understood the recordkeeping system. As noted by the Master (R. 190), none of them at any time protested that the system was inaccurate, although they felt free to complain about such matters. One of petitioners testified that it had never occurred to him that he was working more time than the Company's computations showed (R. 651). And another witness, when asked what the figures on the righthand side of the time clock cards (e.g., Ex. 80) indi-

cated, replied that those were the hours she worked (R. 862).

The computation of hours worked, as originally noted daily on the time clock cards, was subsequently transferred to the Company's payroll records (e.g., Ex. 80-A). As we have discussed in detail in our principal brief, respondent's records were kept with great particularity, and the basis for computing hours worked is the same basis as employed in other factories all over the country. Both the Master and the Circuit Court of Appeals believed that the records were in all respects proper and accurate. Certainly they cannot be said to be inaccurate unless there is some proof that some employees worked longer hours than the records showed. But there is no such proof. The statement of *amicus curiae* that the company's records were improperly kept and that this is the reason why petitioners could not prove their case, is utterly without foundation in the record. May we suggest that a rule such as is requested of this Court by the Wage Hour Division would place all employers completely at the mercy of any disgruntled employee who chose to make a claim. There is absolutely no testimony in this case that the records were improperly kept or inaccurate.

Amicus curiae suggests that the burden of proof should be shifted to the employer "once the employee has established the fact that he performed some work for which his employer did not credit or pay him" (p. 15). Here again he overlooks the fact that the findings are that none of the employees had established that he had performed any work for which he was not credited and paid.

The brief cites many decisions of the lower Federal Courts on the question of the necessity of employees proving that they worked overtime if they are to recover. Many of the same cases are summarized at pages 124-134

of respondent's principal brief. There can be no doubt but that under all these cases the employees have the burden of showing that they worked overtime, and their evidence must afford at least some reasonable basis for determining how much overtime was worked.

It is significant that in spite of the fact that each employee knew each day the exact number of hours' work with which he was credited by the company, no employee ever objected to such computation or kept any account of any excess time worked, although such an account could easily have been kept by the individual employee had there been any excess time to keep account of.

Amicus curiae (pp. 16, 17) cites four cases said to adopt "rather flexible" or "less stringent" standards of proof. But the rule under these decisions is the same. In *Johnson v. Dierks Lumber & Coal Company* (C.C.A. 8, 1942), 130 F. (2d) 115, 118, the Court said (citing many cases):

> ". . . the burden is upon the plaintiff to establish by a preponderance of the evidence the number of hours worked and the amount of wages due; and the evidence to sustain this burden must be definite and certain."

Similarly in *George Lawley & Son Corporation v. South* (C.C.A. 1, 1944), 140 F. (2d) 439, the Court declared that plaintiff must produce evidence definite enough to permit a finding without resort to guess or conjecture that he worked some particular number of overtime hours. Almost the same language is found in *Joseph v. Ray* (C. C.A. 10, 1943), 139 F. (2d) 409. In *De Pasquale v. Williams-Bauer Corporation, et al.* (C.C.A. 2, 1945), 8 W. H. Rep. 1104, each plaintiff testified to the total number of hours he worked each week, and this burden of proof was met.

The brief of *amicus curiae* criticizes this uniform trend of the Courts, but we respectfully suggest that the question as to the requirements of proof in court actions is not one on which administrative inclinations are particularly persuasive. This, rather, is a question of law within the particular competence of the Courts.

In summary, respondent's reply to the second point urged by *amicus curiae* is:

(1) His argument is based upon a misunderstanding of the Master's findings.

(2) The argument is essentially that where it is clear that some overtime was worked employees should not be required to prove precisely how much. But it is conceded, we think, and must be, that there must be definite and certain proof that some overtime was worked; and here there was no proof or finding that any overtime was worked; in fact, the finding was that no overtime was worked.

(3) The argument that an employer who fails to keep accurate records should be penalized by being required to prove that employees did not work overtime is in conflict with the decisions of the lower Federal Courts. Further, such argument is in any event entirely inapplicable here because in this case the respondent kept full and accurate records and was indeed complimented by the Wage Hour Division on the completeness with which its records were kept.

(4) The argument is, of course, addressed to the findings of fact as made by the Master and confirmed by the Circuit Court of Appeals. We respectfully submit that on these findings, no matter what measure of proof might be devised, the only possible result would be the dismissal of the claims, as ordered by the Circuit Court of Appeals.

IV. CONCLUSION

We submit the brief of *amicus curiae* disregards the controlling facts established by the record in this case. It disavows any "evaluation of the factual evidence in the record" because this presents "no issue of general importance" (p. 2). But this case is one which must be decided on that very basis. The brief does not touch the central issue presented: whether, under the findings of the Master, the arbitrary formula devised by the District Court as a basis of judgment, may stand. Instead, the Administrator (who did not appear in any capacity in the lower Courts, and is hence unfamiliar with the evidentiary facts of the record) chooses to argue two points which need not be decided in disposing of this case and which we believe cannot fairly be said to be presented by the petition herein, or on this record.

We believe the brief of *amicus curiae* does not present any persuasive reasons for modifying the judgment of the Circuit Court of Appeals, and we pray that the judgment of that Court be affirmed.

Respectfully submitted,

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